

**MDP & PARTNERS**

ADVOCATES & SOLICITORS

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Ref: MDP/AP/RD/4145/2119/2022**10th August, 2022**

MahaRERA,
6th and 7th Floor, Housefin Bhavan,
Plot No. C -21, E – Block, Bandra Kurla Complex,
Bandra (East), Mumbai 400 051

FORMAT – A
(Circular No: 28/ 2021)

LEGAL TITLE REPORT

Sub:- Title Clearance Certificate with respect to the following:

All that pieces and parcels of land admeasuring 645 bearing C.T.S Nos. 853/4 admeasuring 633.8 square meters and 853/5 admeasuring 11.2 square meters lying, being and situated at Village Marol, Taluka Andheri of Mumbai Suburban District ("said Land") together with the structure standing thereon known as Lisa Apartments ("said Building") having the aggregate carpet area of 6432.03 sq. ft. (hereinafter collectively referred to as "the said Property") owned by Grand Rock Co-operative Housing Society Limited ("Society")

A) We have investigated the entitlement of Shethwala Infra to redevelop the said Property and have perused the following documents:

1. Description of Property: All that pieces and parcels of land admeasuring 645 bearing C.T.S Nos. 853/4 admeasuring 633.8 square meters and 853/5 admeasuring 11.2 square meters lying, being and situated at Village Marol, Taluka Andheri of Mumbai Suburban District ("said Land") together with the structure standing thereon known as Lisa Apartments ("said Building") having the aggregate carpet area of 6432.03 sq. ft. (hereinafter collectively referred to as "the said Property") owned by Grand Rock Co-operative Housing Society Limited ("Society")
2. The documents of allotment of said Property:
 - a. Letter dated 30th November, 1974 issued by Municipal Corporation of Greater Bombay ("MCGM") in the name of D.S. Thakur, BEFIE regarding

- handing over the setback land bearing CS no. 853/4 and 853/5 Marol Maroshi Road, Andheri East;
- b. Offer Letter dated 25th March, 2018 issued by M/s. Shethwala Infra in favor of the Secretary/ Chairman and all members of the Society for redevelopment of the said Building;
 - c. Letter dated 18th July, 2018 issued by issued by M/s. Shethwala Infra in favor of the Secretary/ the Chairman and all members of Lisa Apartments giving offer for the redevelopment of building of the Society;
 - d. Appointment Letter dated 16th September, 2018 issued by the Society in the name of M/s Shethwala Infra appointing them as the developer for the redevelopment of the Society building;
 - e. Resolution dated 7th May, 2019 passed by in the Special General Body Meeting of the Society inter-alia for the purpose of execution and registration of Deemed Conveyance and Development Agreement;
 - f. Memorandum of Understanding dated 31st August, 2019 executed by Grand Rock Co-operative Housing Society Limited in favor of M/s. Shethwala Infra, in respect of development of the said Property;
 - g. Order Cum Certificate dated 8th November, 2019 passed by the District Deputy Co-operative Society, Mumbai City Competent Authority in the Application no. 118/2019 filed by the Society against M/s. Indianna and Neil John Creado & Others;
 - h. Corrigendum dated 26th December, 2019 passed by the District Deputy Co-operative Society, Mumbai City Competent Authority in the Application no. 118/2019 filed by the Society against M/s. Indianna and Neil John Creado & Others;
 - i. Letter dated 19th November, 2020 bearing reference no. DDR-3/Mum/registration/conv.deed/2020/2070 issued by District Deputy Registrar, Co-operative Societies, Mumbai City (3) in the name of the Sub-Registrar/ Appropriate Registration Officer for the registration of Conveyance Deed in respect of the said Land;
 - j. Conveyance Deed (Deemed/Unilateral) dated 22nd February, 2021 registered under serial no. BDR-14-2121-2021 executed by Shri Kailash Jebale District Deputy Registrar, Co-operative Societies (3) Competent Authority on account of Mr. Neil John Creado & Others (therein referred to as the "Vendors"), M/s. Indiana (therein referred to as the

- “Confirming Party”) in favor of Grand Rock Co-Operative Housing Society Limited (therein referred to as the “Purchasers/the Society”);
- k. Death Certificate dated 5th August, 2021 of Prerna Surendra Pillai issued by Municipal Corporation of Greater Mumbai, P North Ward;
 - l. Redevelopment Agreement dated 6th September, 2021 registered under serial no. BDR-18-11576-2021 executed between Grand Rock Co-Operative Housing Society Limited (therein referred to as “Society”), M/s. Shethwala Infra (therein referred to as the “Developer”) and i) Mr. Kantilal Sohanlal Mehta, ii) M/s. Nutan Electric and Harware, iii) M/s. Famous Diary, iv) Mrs. Shantaben Jugraj Mehta, v) Mrs. Fatema Huzefa Handy, vi) Mr. Kusai H. Fatabhoy, vii) Ms. Prerna & Ms. Chitra Pillai, viii) Mrs. Muriel D’Souza, ix) Mr. Ashok T. Shetty, x) Late Mts. Kamladevi Janamraj Vasandi through her legal heir, xi) Mr. Manish Mohan Kotwal, xii) Mrs. Savita Rohit Singh, xiii) Mrs. Annette Doreen D’Costa, Franchelle Raj & Mr. Delawyn Dominic D’Costa and xiv) Mrs. Swaran Kaur Obhan (therein referred to as the “Members”).
3. We have perused copies of the Property Cards/ 7/ 12 extracts and mutation entries in respect of the said Property as follows:
- i. Property Registered Card of land bearing C.T.S No. 853/5 extracted on 5th December, 2021 which reflects the name of Grand Rock Co-Operative Housing Society Limited as the holder;
 - ii. Property Registered Card of land bearing C.T.S No. 853/4 extracted on 5th December, 2021 which reflects the name of Grand Rock Co-Operative Housing Society Limited as the holder.
4. We have perused the following approvals and permissions:
- i. Certificate of Registration of the Society issued on 8th April, 1976 by the Registrar of the Co-operative Housing Societies;
 - ii. Order Cum Certificate dated 8th November, 2019 passed by the District Deputy Co-operative Society, Mumbai City Competent Authority in the Application no. 118/2019 filed by the Society against M/s. Indianna and Neil John Creado & Others;
 - iii. Corrigendum dated 26th December, 2019 passed by the District Deputy Co-operative Society, Mumbai City Competent Authority in the Application no. 118/2019 filed by the Society against M/s. Indianna and Neil John Creado & Others;

- iv. Letter dated 19th November, 2020 bearing reference no.DDR-3/Mum/registration/conv.deed/2020/2070 issued by District Deputy Registrar, Co-operative Societies, Mumbai City (3) in the name of the Sub-Registrar/ Appropriate Registration Officer for the registration of Conveyance Deed in respect of the said Land.

5. Property Tax and Other Bills

- i. Property Tax Assessment Bill dated 1st September, 2021 issued by Brihanmumbai Mahanagarpalika in the name of the Secretary in respect of the said Property for the period 2021-22\
- ii. Water Tax Bill dated 17th April, 2021 issued by Brihanmumbai Mahanagarpalika in the name of the said Society in respect of the Property for the period from 21st October, 2020 to 20th January, 2021.

6. Search Report dated 24th November 2021 issued by Search Clerk, Mrs. Aarti Makwana for the period of 30 years i.e. from 1992 to 2021.

B) On perusal of the above mentioned documents and all other relevant documents relating to the said Property, we are of the opinion that the title of the said Property is clear and marketable and free from all encumbrances and that Shethwala Infra is entitled to re-develop the said Property, by virtue of the Redevelopment Agreement dated 6th September, 2021 and other documents as mentioned in the flow of title annexed hereto, subject to the following remarks:

1. We have not perused following documents:

- i. Letters dated 3rd April, 2018, 16th April, 2018, 19th June, 2018, 29th June, 2018 and 5th July, 2018 issued by M/s. Shethwala Infra in favor of the Society;
- ii. Application no. 118/2019 filed by the Society against Promoter/Builder and the Original owners;
- iii. Resolution passed by the Society in the Special General Body Meeting dated 3rd March, 2021;
- iv. Approved Building/layout Plan/ Floor Plans approved earlier in respect of the land and Occupation Certificate issued earlier in respect of the land.

Owners of the Land and Building:

Grand Rock Co-operative Housing Society Limited is the owner of the said Land i.e. land bearing C.T.S Nos. 853/4 and 853/5 situated at Village Marol Maroshi Road, Andheri- 400 059 and the said Building by virtue of the Conveyance Deed (Deemed/Unilateral) dated 22nd February, 2021 registered under serial no. BDR-14-2121-2021

- C) The Report reflecting the flow of the title of the said Property is enclosed herewith as Annexure.

Yours sincerely,
MDP & Partners



Ashok Paranjpe
Managing Partner

Encl: As above

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FLOW OF TITLE OF THE SAID PROPERTY

1. 7 /12 EXTRACTS / P.R. CARD

We have perused copies of the Property Cards as follows:

- i. Property Registered Card of land bearing C.T.S No. 853/5 extracted on 5th December, 2021 which reflects the name of Grand Rock Co-operative Housing Society Limited as the holder;
- ii. Property Registered Card of land bearing C.T.S No. 853/4 extracted on 5th December, 2021 which reflects the name of Grand Rock Co-operative Housing Society Limited as the holder.

2. MUTATION ENTRIES

We have not perused any document in this regard.

3. SEARCH REPORTS/ TITLE CERTIFICATES

We had caused our Search Clerk, Mrs. Aarti Makwana to conduct searches in various offices of the Sub-Registrar at Andheri S.R.O. (Village Marol) Manual and Computer Records from the year 1992 to 2021 (30 Years). The said search clerk has issued her Search Report dated 24th November, 2021 for searches taken in respect of the said Property, which does not reflect any adverse entry.

PUBLIC NOTICES

We have perused the public notice published in the month of August, 2019 by the District Deputy Co-Operative Society, Mumbai City under the abovementioned Application bearing no. 118/2019. We have been informed that no objections have been received in respect of the Property.

For the purpose of this Report, we have not issued any public notice/s for inviting objections from the public with respect to the title of the said Property.

4. DEVOLUTION OF TITLE

On the basis of the documents provided to us as mentioned below, the entitlement of M/s Shethwala Infra, to redevelop the said Property, is as follows:

- 1) It appears that 1) Mr. Neil John Creado, 2) Mr. Darrel Anthony Creado, 3) Mr. Winston Joseph Creado, 4) Mr. Colin Victor Creado and 5) Mr. Astor Thomas Creado ("Original Owners") were the original owners of the plot of land bearing C.T.S Nos. 853/4 and 853/5 of Village Marol, Taluka Andheri, Mumbai Suburban District ("said Land");
- 2) M/s. Indianna ("Builder") through various Agreement of Development acquired Development Rights from the Original Owners over the said Land and constructed building known as "Grand Rock Co-operative Housing Society Limited" ("said Building") as per the plans and specifications approved by the Municipal Corporation of Greater Mumbai ("MCGM");
- 3) Thereafter, the said Builder sold all the Flats to various purchasers by diverse agreements, for suitable consideration under Maharashtra Ownership Flats Act, 1963 ("MOFA") and the purchasers were put in vacant and peaceful possession of their respective flats by the said Builder after receiving the consideration;
- 4) The purchasers of the flats formed a housing society under the name of "Grand Rock Co-operative Housing Society Limited" ("Society") which was duly registered vide Society Registration Certificate dated 8th April, 1976, bearing registration no. BOM/KE/HSG/TC/897 issued by the Registrar of the Co-operative Housing Societies and all the flat owners were admitted as the members of the Society and were issued with shares of the Society;
- 5) The Original Owners and Builder were required to convey the said Land in favour of the Society, however, failed to do so. Thereafter, the Society made an application bearing no. 118/2019 before the Competent Authority appointed under section 5A of MOFA, for issuance of the Certificate of Entitlement to the said Society and to have a Unilateral Deemed Conveyance executed in its favor and also to have it duly registered, by exercising the power granted under MOFA;
- 6) Meanwhile, the Society in the Special General Body Meeting held on 2nd September, 2018 passed a resolution appointing M/s Shethwala infra

(hereinafter referred to as the "Developer") for the developing the said Property and also issued the appointment letter dated 16th September, 2018 in the favour the Developer;

- 7) Subsequently, the Society also passed a resolution in its Special General Body Meeting dated 7th May, 2019 wherein it resolved the registration of Development Agreement for the purpose of redevelopment of the Society and signing of Memorandum of Understanding, with M/s. Shethwala Infra;
- 8) Additionally, by and under the Memorandum of Understanding dated 31st August, 2019 executed between Grand Rock Co-operative Housing Society Limited and M/s. Shethwala Infra for the purpose of completing the execution and registration of Deemed Conveyance Procedure of the said Property in order to undertake the same for redevelopment;
- 9) The Competent Authority being satisfied with the merits of the submission of the Society issued an Order Cum Certificate dated 8th November, 2019 in the Application no. 118-2019 and then after an Application dated 13th December, 2019 filed by the Society, passed the rectified Order dated 26th December, 2019 certifying that the said Building and the Society is thus entitled to Unilateral Conveyance of the said Land and the said Building;
- 10) Thereafter, vide Conveyance Deed (Deemed/Unilateral) dated 22nd February, 2021 registered under serial no. BDR-14-2121-2021 executed by Shri Kailash Jebale District Deputy Registrar, Co-operative Societies (3) Competent Authority on account of Mr. Neil John Creado & Others (therein referred to as the "Vendors"), M/s. Indiana (therein referred to as the "Confirming Party") in favor of Grand Rock Co-Operative Housing Society Limited (therein referred to as the "Purchasers/the Society"), the Competent Authority granted, transferred, assured and conveyed forever unto the said Society the said Land and Building, upon the terms mentioned therein;
- 11) Vide a resolution passed by the Society in the Special General Body Meeting held on 3rd March, 2021 approved and accepted the draft of redevelopment agreement and members of the Society authorized the Society to execute the said redevelopment agreement on behalf of all the members;

- 12) Water Tax Bill dated 17th April, 2021 issued by Brihanmumbai Mahanagarpalika in the name of the said Society in respect of the Property for the period from 21st October, 2020 to 20th January, 2021;
- 13) Property Tax Assessment Bill dated 1st September, 2021 issued by Brihanmumbai Mahanagarpalika in the name of the Secretary in respect of the said Property for the period 2021-22;
- 14) By and under the Redevelopment Agreement dated 6th September, 2021 registered under serial no. BDR-18-11576-2021 executed between Grand Rock Co-Operative Housing Society Limited and M/s. Shethwala Infra ("Developer") and i) Mr. Kantilal Sohanlal Mehta, ii) M/s. Nutan Electric and Harware, iii) M/s. Famous Diary, iv) Mrs. Shantaben Jugraj Mehta, v) Mrs. Fatema Huzefa Handy, vi) Mr. Kusai H. Fatabhoy, vii) Ms. Prerna & Ms. Chitra Pillai, viii) Mrs. Muriel D'Souza, ix) Mr. Ashok T. Shetty, x) Late Mts. Kamladevi Janamraj Vasandi through her legal heir, xi) Mr. Manish Mohan Kotwal, xii) Mrs. Savita Rohit Sigh, xiii) Mrs. Annette Doreen D'Costa, Franchelle Raj & Mr. Delawyn Dominic D'Costa and xiv) Mrs. Swaran Kaur Obhan (therein referred to as the "Members"), the Society granted unto the Developer the said Property having the aggregate carper area of 6432.03 sq. ft. for the purpose of redevelopment, upon the consideration and terms and conditions mentioned therein.

5. COURT PROCEEDINGS/LITIGATIONS:

For the purpose of this Title Report, we have not caused a search of litigations in respect of the said Property. We have been informed that there is no litigation pending in respect of the said Property in any court of law.

Dated this 10th day of August, 2022

Yours faithfully,

For MDP & Partners


Mr. Ashok Paranjpe
Managing Partner

